

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TEXARKANA DIVISION

SAIFULLAH ANJUM RANJHA

§

VS.

§

CIVIL ACTION NO. 5:11cv167

MICHAEL D. CARVAJAL

§

MEMORANDUM ORDER OVERRULING PETITIONER'S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner Saifullah Anjum Ranjha, an inmate confined at the Federal Correctional Institution in Texarkana, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The Court referred this matter to the Honorable Caroline M. Craven, United States Magistrate Judge, at Texarkana, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the petition be dismissed.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. Petitioner filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the Court concludes petitioner's objections should be overruled. Petitioner's claims were available at the time he filed his first motion to vacate, set aside and correct sentence. *See United States v. Ranjha*, 1:09cv1379 (D. Md. May 27, 2009). Petitioner's petition does not meet the criteria required to support a claim under the savings clause of 28 U.S.C. § 2255.


*See Padilla v. United States*, 416 F.3d 424 (5th Cir. 2005); *Reyes-Requena v. United States*, 243 F.3d. 893 (5th Cir. 2001). Further, this issue has been raised and previously decided in petitioner's other petition for writ of habeas corpus filed in this court. *See Ranjha v. Carvajal*, No. 5:11cv168 (E.D. Tex. Nov. 8, 2011). Thus, this petition should be dismissed.

O R D E R

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

**It is SO ORDERED.**

**SIGNED this 2nd day of August, 2012.**

  
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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE